REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	09 July 2004
Name of applicant/court:	The District Court at Wellington
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	ll-i128.jpg
Other Known Title(s):	Not Stated
Director(s):	Not Applicable
Producer(s):	Not Applicable
Publisher:	Not Applicable
Author(s):	Not Applicable
Format:	Computer Image File
Country of Origin:	Not Stated
Language(s):	Not Applicable

Components of film originally examined: Not Applicable.

Feature: Running Time:

Trailers: Running Time:

Total Running Time:

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

Classification Decision:

Objectionable.

Display Conditions:

Not Applicable.

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable.

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SUMMARY OF THE REASONS FOR DECISION:

The computer image file entitled *ll-i128.jpg* is classified as:
Objectionable.

This classification is because the publication promotes and supports the exploitation of children or young persons for sexual purposes.

The computer image file contains an image of a naked boy sitting in a chair with his legs widely spread. A naked woman stands at his side with her arm around his shoulder and breast resting on his head. The purpose of the publication is to encourage the titillation of people with a sexual interest in children or young persons. This presentation advances the idea that children or young persons are available for adults' sexual gratification.

The classification of this publication interferes with the freedom of expression, as set out in section 14 of the New Zealand Bill of Rights Act 1990. This outcome is consistent, however, with Parliament's intention that publications falling under section 3(2) of the Films, Videos, and Publications Classification Act 1993 are deemed to be objectionable. The classification is also a reasonable limitation on the freedom of expression that reflects the concern of "a free and democratic society" to limit the availability of publications that promote and support the exploitation of children or young persons for sexual purposes.

OFLC No: 400867